

lead, the Delaware Stadium playing field was formally named Tubby Raymond Field. Less than 16 months later, the Blue Hen team that Tubby helped to recruit and then turned over to his successor K.C. Keeler went on to defeat Colgate 40-0 in the finals of the NCAA's Division I-AA football playoffs, making the Blue Hens national champions for 2003.

Tubby epitomizes the University's emphasis on developing student-athletes, too. Throughout his tenure, he encouraged his players to succeed in the classroom as well as on the football field. He will tell you that he is as fiercely proud of those who succeed in careers off the gridiron as he is in those who succeed in the NFL.

Tubby's legacy will never be forgotten by those he touched, the players he coached, and the students he inspired. On behalf of all of them and those of us who call Delaware home, I want to thank him for his leadership, congratulate him on a remarkable coaching career and wish him and his family only the very best in all that lies ahead for him and for them.●

TRIBUTE TO JIM WOLFE

● Mr. BIDEN. Mr. President, I rise today to honor a true business leader and long-time friend in my State of Delaware, Jim Wolfe. Many of us in public office talk about creating good-paying jobs and fighting for the middle class, Jim Wolfe has lived those goals throughout his professional career.

For the past 11 years, Jim Wolfe has led the Chrysler, now the DiamlerChrysler Automobile Assembly Plant in Newark, DE. Tomorrow, he is hanging up his hat as plant manager to take the helm as president and CEO of the 2,800-member Delaware State Chamber of Commerce.

As plant manager of Delaware's DiamlerChrysler plant, which is home to the popular, award-winning Dodge Durango, Jim orchestrated a dozen overhauls of the facility to retool it for new car models. More significantly, he oversaw the re-training of thousands of workers to upgrade their skills.

The DiamlerChrysler plant in Delaware is one of only a few U.S. auto facilities remaining on the East Coast. It is an economic engine in Delaware, employing more than 2,300 people and contributing \$363 million annually to our State's economy. The financial domino effect goes even further: one auto worker creates another 1.6 jobs in other industries, such as transportation, retail services, and labor.

Jim Wolfe is no stranger to the Delaware State Chamber of Commerce. For the past year he has served as Chairman of the Chamber's independent Board of Directors. He is a long-time member of the Chamber's Board of Directors and Executive Committee, as well as serving as Chairman of the Delaware Manufacturing Association.

On a personal note, Jim has been a great and trusted friend and advisor to

me for many years. I have visited with him and his workers at the Newark DiamlerChrysler Plant more times than I can count, and he always gave it to me straight. When the facility was in jeopardy of closing in the early 1990s, he counseled me on how to help save this manufacturing gem for our State, which we accomplished.

Jim is a 40-year employee of Chrysler. We stole him from his native Michigan, but he and his wife Laura are now part of the Delaware family.

Jim's stature in the business community has been earned and is well-deserved. He will bring a hands-on knowledge of the business world to his new position directing the Chamber's many affiliates, including the Manufacturing Association, the Delaware Retail Council, The Public Policy Institute, and the Small Business Alliance.

DiamlerChrysler's loss is truly the Delaware State Chamber of Commerce's gain. But we all win because we'll continue to benefit from Jim's affable personality, skilled business acumen and foresight as a community leader in Delaware.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF PRESIDENTIAL DETERMINATION 2003-39 RELATIVE TO CLASSIFIED INFORMATION CONCERNING THE AIR FORCE'S OPERATING LOCATION NEAR GROOM LAKE, NEVADA—PM 60

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Environment and Public Works:

To the Congress of the United States:

Consistent with section 6001(a) of the Resource Conservation and Recovery Act (RCRA) (the "Act"), as amended, 42 U.S.C. 6961(a) notification is hereby given that on September 16, 2003, I issued Presidential Determination 2003-39 (copy enclosed) and thereby exercised the authority to grant certain exemptions under section 6001(a) of the Act.

Presidential Determination 2003-39 exempted the United States Air Force's operating location near Groom Lake, Nevada, from any Federal, State, inter-

state, or local hazardous or solid waste laws that might require the disclosure of classified information concerning that operating location to unauthorized persons. Information concerning activities at the operating location near Groom Lake has been properly determined to be classified, and its disclosure would be harmful to national security. Continued protection of this information is, therefore, in the paramount interest of the United States.

The determination was not intended to imply that, in the absence of a Presidential exemption, RCRA or any other provision of law permits or requires the disclosure of classified information to unauthorized persons. The determination also was not intended to limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake except those provisions, if any, that might require the disclosure of classified information.

GEORGE W. BUSH.
THE WHITE HOUSE, January 28, 2004.

STATEMENT OF JUSTIFICATION RELATIVE TO THE AUSTRALIA GROUP CHEMICAL AND BIOLOGICAL WEAPONS NONPROLIFERATION REGIME—PM 61

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, I hereby certify pursuant to Condition 7(C)(i), Effectiveness of the Australia Group, that:

Australia Group members continue to maintain equally effective or more comprehensive controls over the export of: toxic chemicals and their precursors; dual-use processing equipment; human, animal, and plant pathogens and toxins with potential biological weapons applications; and dual-use biological equipment, as that afforded by the Australia Group as of April 25, 1997; and

The Australia Group remains a viable mechanism for limiting the spread of chemical and biological weapons-related materials and technology, and the effectiveness of the Australia Group has not been undermined by changes in membership, lack of compliance with common export controls and nonproliferation measures, or the weakening of common controls and nonproliferation measures, in force as of April 25, 1997.

The factors underlying this certification are described in the enclosed statement of justification.

GEORGE W. BUSH.
THE WHITE HOUSE, January 28, 2004.

MESSAGE FROM THE HOUSE

At 12:45 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1385. An act to extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research.

H.R. 3493. An act to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 610. An act to amend the provision of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), amended by Division P of the Consolidated Appropriations Resolution, 2003, and the order of the House of December 8, 2003, the Speaker reappoints the following Member on the part of the House of Representatives to the United States-China Economic and Security Review Commission: Ms. June Teufel Dreyer of Coral Gables, Florida, for a term to expire December 31, 2005.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1385. An act to extend the provision of title 39, United States Code, under which the United States Postal Service is authorized to issue a special postage stamp to benefit breast cancer research; to the Committee on Governmental Affairs.

H.R. 3493. An act to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Air Force nominations beginning Brigadier General Roger P. Lempke and ending Colonel James P. Toscano, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 20, 2003.

Air Force nomination of Col. James E. Hearon.

Air Force nomination of Maj. Gen. Thomas L. Baptiste.

Air Force nomination of Maj. Gen. Donald J. Wetekam.

Navy nomination of Capt. Ann D. Gilbride.

Navy nominations beginning Capt. Jon W. Byless, Jr. and ending Capt. William H.

Payne, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 27, 2003.

Navy nomination of Rear Adm. (1h) Fenton F. Priest III.

Navy nomination of Rear Adm. (1h) Paul E. Sullivan.

Mr. WARNER. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning Paul V. Bennett and ending Victoria G. Zamarripa, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 26, 2003.

Air Force nominations beginning Nelson * Arroyo and ending Paul D. * Sutter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Air Force nominations beginning James J. * Baldock IV and ending Brian K. * Wyrick, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Air Force nominations beginning Kimberly L. * Arnao and ending James M. Winner, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Air Force nominations beginning David H. * Adams, Jr. and ending James A. * Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Air Force nominations beginning Laurie A. Abney and ending Deedra L. * Zabokrtsky, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Air Force nominations beginning John T. Aalborg, Jr. and ending William A. Zutt, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 4, 2003.

Army nominations beginning Stephen G. Beardsley III and ending Patrick O. Wilson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 17, 2003.

Army nominations beginning John R. Angelloz, Jr. and ending Michael C. McDaniel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 20, 2003.

Army nomination of James R. Ward.

Army nomination of Michael K. Vaughan. Army nominations beginning David S. Feigin and ending John E. Hartmann, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

Army nominations beginning Joseph L. Craver and ending William Hann, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

Army nomination of Carol Ann Mitchell.

Army nominations beginning Carol A. Bossone and ending Curtis M. Klages, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

Army nominations beginning Daniel G. Rendeiro and ending Diane K. Patterson, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

Army nominations beginning Michael T. Endres and ending James A. Chervoni, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

Navy nominations beginning Tab E Austin and ending Sabrina M Stedman, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 20, 2003.

Navy nominations beginning Albert A. Alarcon and ending Jeffrey W. Winters, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 21, 2003.

Navy nominations beginning Craig L. Abraham and ending Sarah L. Wright, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on November 25, 2003.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 2034. To establish 3 memorials to the Space Shuttle Columbia in the State of Texas; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM of South Carolina (for himself, Mr. DASCHLE, Mr. LEAHY, Mr. DEWINE, Mrs. CLINTON, Ms. MURKOWSKI, Mr. ALLEN, Mr. SMITH, Ms. LANDRIEU, Mr. REID, Mr. LAUTENBERG, Mr. PRYOR, Mr. KERRY, Ms. CANTWELL, Mrs. LINCOLN, Mr. AKAKA, Mr. LIEBERMAN, Mr. SCHUMER, Mrs. BOXER, Mrs. MURRAY, Mr. DORGAN, Mr. JOHNSON, Mr. BINGAMAN, Mr. DAYTON, Mr. KENNEDY, Ms. MIKULSKI, and Mr. NELSON of Nebraska):

S. 2035. A bill to amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service; to expand certain authorities to provide health care benefits for Reserves and their families, and for other purposes; to the Committee on Armed Services.

By Mrs. FEINSTEIN:

S. 2036. A bill for the relief of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 2037. A bill to transfer administrative jurisdiction of a parcel of real property comprising a portion of the Defense Supply Center in Columbus, Ohio, and for other purposes; to the Committee on Armed Services.

By Mr. BAYH (for himself, Mr. CRAIG, Ms. LANDRIEU, and Mr. DURBIN):

S. 2038. A bill to amend the Public Health Service Act to provide for influenza vaccine awareness campaign, ensure a sufficient influenza vaccine supply, and prepare for an influenza pandemic or epidemic, to amend the Internal Revenue Code of 1986 to encourage vaccine production capacity, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 2039. A bill to waive time limitations specified by law in order to allow the Medal of Honor to be awarded posthumously to Rex T. Barber of Terrebonne, Oregon, for acts of